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and CareZone Pharmacy LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CZ SERVICES, INC., d/b/a CAREZONE
PHARMACY and CAREZONE PHARMACY
LLC,

Plaintiffs,

vs.

EXPRESS SCRIPTS HOLDING COMPANY
and EXPRESS SCRIPTS, INC.

Defendants.

Case No. 3:18-CV-04217-JD

**DECLARATION OF WILLIAM C.
JACKSON IN SUPPORT OF PLAINTIFF
CAREZONE PHARMACY LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL SELECTED EXHIBITS
AND DECLARATIONS IN SUPPORT OF
MOTION FOR A TEMPORARY
RESTRAINING ORDER AND ORDER
TO SHOW CAUSE AS TO WHY A
PRELIMINARY INJUNCTION SHOULD
NOT ISSUE**

I, William C. Jackson, declare as follows:

1. I am a member of the Bar of the District of Columbia, admitted to practice *pro hac vice* in this matter, and a partner at the law firm of Boies Schiller Flexner LLP, counsel to CareZone Pharmacy LLC (“CZ Pharmacy”) and admitted *pro hac vice* in this matter. I make this declaration based upon matters within my own personal knowledge. If called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Plaintiff CZ Pharmacy’s Administrative Motion to File Under Seal Selected Exhibits to the Declarations of Deleca Reynolds Barnes and William C. Jackson, and the Declarations of Linda England and Faith Haley, submitted in support of CZ Pharmacy’s Motion for a Temporary Restraining Order and Order to Show Cause as to Why a Preliminary Injunction Should Not Issue.

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Exhibit 14 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 15 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 17 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 18 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 19 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 22 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 23 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 24 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 25 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 26 to the Declaration of William C. Jackson	Highlighted Portions	Defendants
Exhibit 27 to the Declaration of William C. Jackson	Highlighted Portions	Defendants

Document	Portions to Be Filed Under Seal	Designating Party
Exhibit G to the Declaration of Deleca Reynolds Barnes	Entire Document	Defendants
The Declaration of Linda England	Entire Document	Plaintiff
The Declaration of Faith Haley	Entire Document	Plaintiff

3. The highlighted portions of Exhibits 14, 15, 17, 18, 19, 22, 23, 24, 25, 26, 27, and the entirety of Exhibit G contain information that CZ Pharmacy believes, based on its negotiations with ESI and based on Defendants' own administrative motion to file under seal similar materials (Dkt. 18), that Defendants Express Scripts Holding Company and Express Scripts Inc. (together, "ESI") considers confidential and proprietary information related to the terms of the ESI Pharmacy Provider Agreement entered into by and between ESI and Plaintiff.

4. CZ Pharmacy's request to seal is narrowly tailored to the portions of the exhibits that ESI considers confidential and to merit sealing.

5. I have also reviewed the Declarations of CZ Pharmacy patients Linda England and Faith Haley and confirmed that the two declarations merit sealing in their entirety. Both contain private medical and healthcare information about Ms. England and Ms. Haley that cannot readily be separated and redacted from the rest of their declarations.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 26th day of July, 2018 in Washington, District of Columbia.

By: /s/ William C. Jackson

William C. Jackson
BOIES SCHILLER FLEXNER LLP